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MISOOK KIM

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., et al.,

Defendants.

CASE NO. 2:22-cv-09094-GW-MAR

**DECLARATION OF CATHERINE H.  
THOMPSON IN SUPPORT OF  
JOINT OPPOSITION TO MOTION  
TO ENFORCE COMPLIANCE WITH  
THE COURT'S ORDERS, AND FOR  
MONETARY SANCTIONS FOR  
CONTEMPT**

The Honorable Margo A. Rocconi

Hearing Date: May 10, 2023

Time: 11:00 a.m.

Courtroom: 790

**DECLARATION OF CATHERINE H. THOMPSON**

I, Catherine H. Thompson, hereby declare:

1. I am an attorney at the law firm Halpern May Ybarra Gelberg LLP, counsel for Defendant Misook Kim (“Ms. Kim”) in this action. I have sufficient personal knowledge of the facts set forth herein that if called as a witness I could and would testify competently to those facts under oath. I submit this declaration in support of Defendant’s Joint Opposition to Plaintiff Moog, Inc.’s Motion to Enforce Compliance with the Court’s Orders, and for Monetary Sanctions for Contempt.

2. On March 7, 2023, I received via email a letter signed by FBI Supervisory Special Agent Jonathan Dean with the subject line “RE: Request for Preservation of Records (Misook Kim)” directed to counsel for Ms. Kim. In the letter, the FBI requested, among other things, that counsel “confirm possession” of certain digital devices.

3. On behalf of Ms. Kim, I did not provide the information requested by the government’s purported “preservation letter.”

4. I participated in a meet and confer on March 21, 2023 to discuss the pending discovery dispute which Moog planned to raise with Judge Rocconi in an informal discovery conference if the matter was not resolved to their satisfaction. During the conference, counsel for Mr. Pilkington, Rachel Fiset, notified Moog that Individual Defendants intended to assert their Fifth Amendment privilege as a basis for withholding production. In response, Moog’s counsel contended that Individual Defendants’ position violated several court orders and threatened to seek sanctions. However, Moog never discussed seeking a civil contempt finding, or even used the word “contempt” to my recollection. The parties did not discuss the legal authority for, or defenses against, civil contempt. Nor did the parties discuss any alleged violations of the TRO or Inspection Protocol.

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1 I declare under penalty of perjury under the laws of the United States that the  
2 foregoing is true and correct.

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4 Executed at Washington, D.C., on April 17, 2023.

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7 CATHERINE H. THOMPSON  
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